

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 33-37, 39-44 and 77 are pending in the present application. Claims 33-37, 39-44 and 77 are amended by the present amendment. Support for the present amendment is found in Applicants' originally filed disclosure. Thus, no new matter is added.

In the outstanding Action, Claims 33-37, 39-44 and 77 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter; Claims 33, 37, 40, 41, 43, 44 and 77 were rejected under 35 U.S.C. §103(a)¹ as unpatentable over Marcial et al. (U.S. Pat. No. 7,340,421, herein "Marcial") in view of Princen (U.S. Pat. Pub. No. 2005/031780); Claims 34, 35, 36 and 39 were rejected under 35 U.S.C. §103(a) as unpatentable over Marcial and Princen in view of Bellinger (U.S. Pat. No. 6,023,705); and Claim 42 was rejected under 35 U.S.C. §103(a) as unpatentable over as unpatentable over Marcial and Princen in view of Ashcroft et al. (U.S. Pat. No. 7,364,667, herein "Ashcroft").

Initially, Applicants and Applicants' representatives wish to thank Examiner Champagne and Supervisory Examiner Zeender for the interview with Applicants' representatives on September 14, 2009. During the interview the present invention and differences between the invention and the references in the outstanding Office Action were discussed in detail. Comments discussed during the interview are reiterated below.

With respect to the rejection of Claims 33-37, 39-44 and 77 under 35 U.S.C. §101 as directed to non-statutory subject matter, Claim 33 has been amended to provide more structure in the claimed system. Specifically, Applicants have recited that the system includes a central processing unit which is used by the account reconciliation application.

¹ The outstanding Action states that the rejection is based on §102(e) however this is not consistent with the combination performed in the outstanding Action, thus Applicants have assumed that a rejection under §103(a) was assumed.

Accordingly, Applicants respectfully submit that the above noted amendments to Claim 33 have overcome the rejection and respectfully request that the rejection to Claims 33-37, 39-44 and 77 under 35 U.S.C. §101 be withdrawn.

Addressing now the rejection of Claims 33, 37, 38, 40, 41, 43 and 44 as unpatentable over Marcial and Princen, Applicants respectfully traverse this rejection.

Amended Claim 33 recites, in part,

a central processing unit;
a source database to store source data pertaining to a financial account, the source data exhibiting a source balance;
an application database to store ledger data pertaining to the financial account, the ledger data exhibiting a ledger balance; and
an account reconciliation application executing, using the central processing unit, at the application database to create reconciliation documents that associate the ledger data and the source data pertaining to the financial account and determine reconciliation items to reconcile any differences between the source balance and the ledger balance, the reconciliation documents being based in part on reconciliation profiles, the reconciliation profiles determining how the financial account is to be reconciled by, at least, determining the reconciliation items and thereby how the source balance and the ledger balance are to be reconciled, the account reconciliation application creating the reconciliation profiles by way of a profile creation screen that enables input of information used to establish the reconciliation profiles.

Marcial describes a computer based system for reconciling corporate books and subsidiary books.

However, Marcial does not describe or suggest an account reconciliation application executing, using the central processing unit, at the application database to create reconciliation documents that associate the ledger data and the source data pertaining to the financial account and determine reconciliation items to reconcile any differences between the source balance and the ledger balance, the reconciliation documents being based in part on reconciliation profiles, the reconciliation profiles determining how the financial account is to

be reconciled by, at least, determining the reconciliation items and thereby how the source balance and the ledger balance are to be reconciled, the account reconciliation application creating the reconciliation profiles by way of a profile creation screen that enables input of information used to establish the reconciliation profiles, as is recited in Claim 33.

For example, nothing in Marcial describes reconciliation profiles or that the reconciliation profiles determine how the financial account is to be reconciled by, at least, determining how a source balance and a ledger balance are to be reconciled.

Nevertheless, the outstanding Action cites Princen as curing the deficiencies of Marcial with regard to the claimed invention.

Princen describes a computing system for managing accounting data and particularly for managing invoices. Further, Princen describes that many received invoices are set up differently and thus are not easily entered into an accounting system. Thus, in Princen, the computer system includes reconciliation rules which match elements on the received invoices to corresponding elements in the accounting system.

However, Princen does not describe or suggest an account reconciliation application executing, using the central processing unit, at the application database to create reconciliation documents that associate the ledger data and the source data pertaining to the financial account and determine reconciliation items to reconcile any differences between the source balance and the ledger balance, the reconciliation documents being based in part on reconciliation profiles, the reconciliation profiles determining how the financial account is to be reconciled by, at least, determining the reconciliation items and thereby how the source balance and the ledger balance are to be reconciled, the account reconciliation application creating the reconciliation profiles by way of a profile creation screen that enables input of information used to establish the reconciliation profiles, as is recited in Claim 33.

As was discussed in the interview, Princen is directed to reconciling by matching elements on received invoices to corresponding elements in the accounting system. The outstanding Action asserts on page 4 that the “rules” used to match these elements in Princen are equivalent to the claimed “reconciliation profiles”, Applicants respectfully traverse this assertion. Specifically, Applicants note that the claimed reconciliation profiles determine how the financial account is to be reconciled by, at least, determining how the source balance and the ledger balance are to be reconciled. Profiles which determine how source and ledger balances are reconciled are quite deferent from matching elements in an invoice to corresponding elements in an accounting system. In other words, the reconciliation described in Princen is not equivalent to the reconciliation recited in the claimed invention.

Thus, the combination of Marcial and Princen cannot be reasonably cited as describing reconciliation profiles which define how the financial account is to be reconciled by, at least, defining how the source balance and the ledger balance are to be reconciled.

Furthermore, nothing in the combination of Marcial and Princen describes that the account reconciliation application creates the reconciliation profiles by way of a profile creation screen that enables input of information used to establish the reconciliation profiles. This feature is simply not described or suggested anywhere in the cited combination of references.

Accordingly, Applicants respectfully submit that Claim 33, and claims depending therefrom, patentably distinguish over Marcial and Princen considered individually or in combination.

Moreover, none of the further cited Bellinger and Ashcroft references cures the above noted deficiencies of Marcia and Princen with regard to the claimed invention.

In addition, with regard to Claim 77, Applicants respectfully submit that this claim also patently distinguishes over the combination of Marcial and Princen for reasons in addition to this claim's dependence from Claim 33.

Specifically, nothing in the combination of Marcial and Princen describes or renders obvious that the reconciliation profiles define how the financial account is to be reconciled by associating only a portion of the ledger data and the source data pertaining to the financial account with a particular reconciliation profile.

In other words, Claim 77 recites that a particular reconciliation profile may only be associated with a portion of the ledger data and the source data. This allows different portions of the ledger data and source data to be reconciled differently. This feature is not disclosed in the cited combination as this combination never describes or suggests *associating only a portion of the ledger data and the source data pertaining to the financial account with a particular reconciliation profile*.

The outstanding Action asserts on page 8 that the features of Claim 77 are "specifically anticipated by Princen" as the rules of Princen are "created in order to define how to process the next invoice." However, Applicants note that this has nothing to do with associating only a portion of the ledger data and source data pertaining to the financial account with a particular reconciliation profile.

Thus, Applicants respectfully submit that Claim 77 also patentably distinguishes over the above noted cited references.

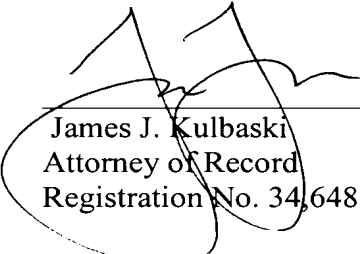
Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)



James J. Kulbaski
Attorney of Record
Registration No. 34,648

James Love
Registration No. 58,421

1783485_2